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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

IN RE:	§	
	§	
REAGOR-DYKES MOTORS, LP et al	§	Case No. 18-50214-rlj-11
	§	Jointly Administered
Debtors	§	

REAGOR AUTO MALL LTD.;	§	
REAGOR-DYKES AMARILLO, LP;	§	
REAGOR-DYKES FLOYDADA, LP;	§	
REAGOR-DYKES IMPORTS, LP;	§	
REAGOR-DYKES AUTO COMPANY,	§	
LP; REAGOR-DYKES PLAINVIEW,	§	
LP; REAGOR-DYKES MOTORS, LP;	§	
and REAGOR-DYKES SNYDER, LP,	§	
Plaintiffs	§	
	§	
V.	§	Adversary No. 20-05002-rlj
	§	
FIRSTCAPITAL BANK OF TEXAS,	§	
N.A.,	§	
Defendant	§	

**FIRSTCAPITAL BANK OF TEXAS, N.A.'S
MOTION TO DISMISS**

Defendant FirstCapital Bank of Texas, N.A., ("Defendant") moves to dismiss all counts contained in Plaintiffs' Original Complaint (Doc. No. 1) pursuant to Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) for the reason that the Original Complaint fails to state a

claim upon which relief can be granted. Further, pursuant to Bankruptcy Rule 7012(b), Defendant consents to the entry of final orders or judgment by the bankruptcy court.

Contemporaneous with the filing of this motion, Defendant has filed its Brief in Support of Motion to Dismiss.

WHEREFORE, Defendant requests that the Court dismiss Plaintiffs' Original Complaint for failure to state a claim upon which relief can be granted, that Defendant be awarded costs of court, and that Defendant be awarded such other and further relief as the Court deems just and equitable.

Respectfully submitted,

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/s/ John F. Massouh

John F. Massouh

*Attorneys for Defendant FirstCapital Bank of
Texas, N.A*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served on **March 23, 2020** upon all parties entitled to such notice as provided by the ECF filing system.

/s/ John Massouh

John Massouh